

REPLY UNDER 37 C.F.R § 1.116 – EXPEDITED PROCEDURE – ART UNIT 2827**REMARKS**

This is a full and timely response to the final Office Action mailed March 29, 2004 (Paper No. 7). Reexamination and reconsideration in light of the following remarks are courteously requested.

Claims 1-20 remain pending in the application, with Claims 1, 11, and 18 being the independent claims. Claims 1, 4, 18, and 19 have been amended, and Claim 7 has been canceled herein. No new matter has been added.

Objection Under 35 U.S.C. § 132

The Office action alleges that the previously submitted amendment introduced new matter. Specifically, the Office action alleges that the amendment to Claim 7, namely the recitation of “the housing includes an external surface configured to be substantially flush with the substantially uncovered surfaces of each circuit board” is directed to new matter. This objection is respectfully traversed.

Initially, Applicants wish to point out that information included in the as-filed specification, claims, or drawings may be added to any other part of the application without introducing new matter. See M.P.E.P. § 2163.06. Moreover, a mere rephrasing or rewording of a passage to impart the same meaning as the original passage does not introduce new matter. In re Anderson 471 F.2d 1237, 176 USPQ 331 (CCPA 1973).

Applicants submit that the amendment to Claim 7 that is alleged to have introduced new matter is nothing more than a mere rewording of the original claim language, which was done to provide improved clarity. Nonetheless, to expedite prosecution, Claim 7 has been canceled; however, its substance has been incorporated into independent Claim 1, albeit in a cosmetically altered form that does not include the allegedly objectionable phrase. Namely, the phrase “substantially flush with the substantially uncovered surfaces” is changed to read “that is flush with the uncovered surfaces.”

In view of the foregoing, reconsideration and withdrawal of the objection under 35 U.S.C. § 132 is requested.

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Objections to the Drawings

The drawings are objected to because certain features in the claims are allegedly not shown. Specifically, the Office action alleges that the feature recited in Claim 7, namely the recited feature, "the housing includes an external surface configured to be substantially flush with the substantially uncovered surfaces of each circuit board," is not shown. This objection is respectfully traversed.

As noted above, Claim 7 has been canceled herein. However, the features recited therein have been included into independent Claim 1, albeit amended herein to remove the allegedly objectionable phraseology therefrom. It is submitted that independent Claim 1, as amended herein, is clearly shown in FIG. 6 of the as-filed application. As clearly illustrated therein, the housing (101) includes an external surface that is flush with the uncovered surfaces of each circuit board (201, 202).

In view of the above, Applicants respectfully solicit reconsideration and withdrawal of the drawing objections.

Claim Objections

Claims 4 and 19 are objected to due to minor informalities contained therein. Specifically, the word "two" is misspelled in Claim 4, and proper antecedent basis is not included for a claim feature recited in Claim 19.

In response, Applicants have amended Claims 4 and 19 as recommended by the Examiner, rendering these objections moot. Therefore, reconsideration and withdrawal of the same is respectfully solicited.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 7 and 10 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. In response, Applicants wish to point out that Claim 7 has been canceled herein, and once again submit that the features incorporated into independent Claim 1 are clearly disclosed in originally-filed FIG. 6, as was noted above.

In light of the foregoing, Applicants respectfully request that the rejections under 35 U.S.C. § 112, first paragraph be withdrawn.

REPLY UNDER 37 C.F.R § 1.116 – EXPEDITED PROCEDURE – ART UNIT 2827**Rejections Under 35 U.S.C. § 112, Second Paragraph**

Claims 7, 10, and 14 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. These rejections are traversed in light of the amendments to these claims. As regards Claim 7, this claim is canceled herein. As regards Claim 10, this claim has been amended herein to depend from Claim 9, rather than Claim 7, thereby providing proper antecedent basis for the "H-bridge." And finally, as regards Claim 14, this claim has been amended as recommended by the Examiner, rendering its rejection moot.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the § 112, second paragraph rejections.

Rejections under 35 U.S.C. § 102

Claims 1-6, 8, 11-15 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,466,452 (Yamada et al.). This rejection is respectfully traversed.

Independent Claim 1 relates to a circuit package for an electronic device that includes first and second circuit boards positioned in first and second planes, respectively, and a housing formed between the first and second circuit boards that covers at least one surface of each circuit board and leaves another surface of each circuit board substantially uncovered, and recites, *inter alia*, wherein the housing includes an external surface that is flush with the uncovered surfaces of each circuit board.

Independent Claim 11 relates to a circuit package for an electronic device that includes first and second circuit boards positioned in first and second planes, respectively, and a housing that is formed to surround at least a portion of the first and second circuit boards, and recites, *inter alia*, that the second circuit board is in contact with the first circuit board.

Yamada et al. relates to a circuit package for installing a daughter board and discloses a pair of daughter boards (11) coupled to a housing (20) formed of an insulating material, such as synthetic resin, via securing metal means (30). As was admitted to in the Office action, Yamada et al. fails to disclose, or even remotely suggest, at least the above noted feature of independent Claim 1. Namely, a housing that includes an external surface that is flush with the uncovered surfaces of each circuit board. Moreover, Applicants submit that Yamada et al. fails to disclose or suggest an embodiment in which the daughter boards (11) are in contact with one another, as recited in independent Claim 11.

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In view of the foregoing, reconsideration and withdrawal of the § 102 rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 9 and 16 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Yamada et al. and U.S. Patent No. 6,175,765 (Sullivan et al.). This rejection is respectfully traversed.

Sullivan et al. relates to a circuit for generating biphasic defibrillation pulses. However, Sullivan et al. is not understood to make up at least for the previously noted deficiencies of Yamada et al. with respect to independent Claims 1 and 11.

Therefore, reconsideration and withdrawal of the § 103 rejection is respectfully solicited.

Conclusion

Based on the above, independent Claims 1, 11, and 18 are patentable over the citations of record. The dependent claims 2-10, 12-17, 19, and 20 are also submitted to be patentable for the reasons given above with respect to the independent Claims and because each recites features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicants submit that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

This Amendment was not earlier presented because Applicants earnestly believed the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment Pursuant to 37 C.F.R. § 1.116 is respectfully requested.

Moreover, entry and consideration of this Amendment are proper under 37 C.F.R. § 1.116 for at least the following reasons. The Amendment overcomes all of the rejections and objections set forth in the above-noted Office Action. The present Amendment places the application in better form for appeal, which Applicants fully intend to pursue if necessary. The present Amendment does not raise new issues requiring further search or consideration.

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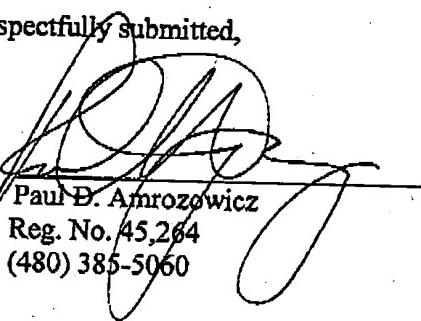
Therefore, entry and consideration of the present Amendment are proper under 37 C.F.R. § 1.116 and are hereby requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

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Dated: May 25, 2004

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